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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

ROBERT THOMAS NELSON,

Defendant and Appellant.

H029927

(Santa Clara County
Super.Ct.No. CC598415)

Defendant, Robert Thomas Nelson, was charged by information with possession of a controlled substance, cocaine base, in violation of Health and Safety Code section 11350, subdivision (a). He was charged with two related misdemeanors, being under the influence of a controlled substance and possessing narcotic paraphernalia. The information further alleged that defendant had one prior strike pursuant to Penal Code sections 667, subdivision (b) through (i) and 1170.12 and that he had served five prior prison terms pursuant to Penal Code section 667.5, subdivision (b). He pleaded no contest to the charges and admitted every enhancement.

At the sentencing hearing, defendant's *Romero*¹ motion was denied. Probation was denied and he was committed to the state prison for the lower term of 32 months.

¹ *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497.

The trial court struck the punishment for the five prior prison term enhancements. Concurrent sentences were imposed for the misdemeanor charges. Various fines and fees were imposed.

Defendant filed a timely notice of appeal.

Appointed appellate counsel has filed an opening brief which states the case and the facts but raises no specific issues. We notified defendant of his right to submit written argument on his behalf but he has failed to avail himself of the opportunity. Pursuant to *People v. Wende* (1979) 25 Cal.3d 436, we have reviewed the entire record and have concluded there are no arguable issues on appeal.

The judgment is affirmed.

Duffy, J.

WE CONCUR:

Mihara, Acting, P.J.

McAdams, J.